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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

ORACLE USA, INC., et al.,  
  
Plaintiffs,  
  
v.  
  
SAP AG, et al.,  
  
Defendants.

Case No. 07-CV-1658 PJH (EDL)

**DEFENDANTS' NOTICE OF  
LODGING PLAINTIFFS'  
DOCUMENTS IN SUPPORT OF  
DEFENDANTS' OFFER OF PROOF  
REGARDING THE AT-RISK REPORT  
AND IMPACT ON DAMAGES  
ANALYSIS**

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT on November 19, 2010, Defendants filed Offer of Proof  
3 Regarding the At-Risk Report and Impact on Damages Analysis (ECF No. 994). This document  
4 contained materials that were submitted under seal pursuant to Local Rule 79-5(c). In compliance  
5 with the Court's Order and Civil Local Rules, and given the voluminous nature, as well as the  
6 size and shape of these documents, Defendants hereby give notice that these documents were  
7 lodged with the Clerk's Office on November 22, 2010 for record purposes in lieu of electronic  
8 filing:

9 1. Exhibit A (Defendants' Trial Exhibit A-0059) to ECF No. 994 (Offer of Proof  
10 Regarding the At-Risk Report and Impact on Damages Analysis).

11 2. Exhibit B (Defendants' Trial Exhibit A-9338) to ECF No. 994 (Offer of Proof  
12 Regarding the At-Risk Report and Impact on Damages Analysis).

13 Defendants give notice that these materials should be kept and maintained by the clerk in  
14 the official record for this case.

15 Dated: November 23, 2010

JONES DAY

17 By: /s/ Tharan Gregory Lanier  
18 Tharan Gregory Lanier

19 Counsel for Defendants  
20 SAP AG, SAP AMERICA, INC., and  
21 TOMORROWNOW, INC.